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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Third Committee (A/52/637)*]

52/99. Traditional or customary practices affecting the health of women and girls

The General Assembly,

Recalling:

(*a*) General Assembly resolution 843 (IX) of 17 December 1954, Economic and Social Council resolution 1997/24 of 21 July 1997, Commission on Human Rights decision 1997/108 of 22 August 1997,[1] and Subcommission on Prevention of Discrimination and Protection of Minorities resolutions 1983/1 of 23 August 1983,[2] 1995/20 of 24 August 1995,[3] 1996/19 of 29 August 1996[4] and 1997/8 of 22 August 1997,[5]

(*b*) The reports of the Special Rapporteur of the Subcommission on Prevention of Discrimination and Protection of Minorities on traditional practices affecting the health of women and children and of the Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences,

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[1] See *Official Records of the Economic and Social Council, 1997, Supplement No. 3* (E/1997/23), chap. II, sect. B.

[2] See E/CN.4/1984/3-E/CN.4/Sub.2/1983/43 and Corr.1 and 2, chap. XXI, sect. A.

[3] See E/CN.4/1996/2-E/CN.4/Sub.2/1995/51, chap. II, sect.A.

[4] See E/CN.4/1997/2-E/CN.4/Sub.2/1996/41, chap. II, sect. A.

[5] See E/CN.4/1998/2-E/CN.4/Sub.2/1997/50, chap. II, sect.A.

(*c*) The reports of the United Nations Regional Seminars on Traditional Practices Affecting the Health of Women and Children, which were held in Burkina Faso in 1991[6] and Sri Lanka in 1994,[7] and the Plan of Action for the Elimination of Harmful Traditional Practices Affecting the Health of Women and Children,[8]

(*d*) The Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993,[9] which proclaims, *inter alia*, that gender-based violence and all forms of sexual harassment and exploitation, including those resulting from cultural prejudice, are incompatible with the dignity and worth of the human person and which stresses the importance of working towards the eradication of any conflicts which may arise between the rights of women and the harmful effects of certain traditional or customary practices,

(*e*) The Programme of Action of the International Conference on Population and Development,[10] which calls upon Governments and communities to take steps urgently to stop the practice of female genital mutilation and to protect women and girls from all such similar dangerous practices,

(*f*) The Beijing Declaration[11] and the Platform for Action,[12] adopted by the Fourth World Conference on Women, which, *inter alia*, call upon Governments to enact and enforce legislation against the perpetrators of practices and acts of violence against women, such as female genital mutilation, female infanticide, prenatal sex selection and dowry-related violence, and to give vigorous support to the efforts of non-governmental and community organizations to eliminate such practices,

(*g*) The commitment of all States to fulfil their obligations to promote universal respect for and observance of all human rights and fundamental freedoms,

(*h*) Article 5 of the Convention on the Elimination of All Forms of Discrimination against Women,[13] which provides that States parties shall take all appropriate measures to modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices that are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women, as reiterated in the Beijing Declaration and the Platform for Action,

(*i*) General recommendation 14 of the Committee on the Elimination of Discrimination against Women concerning female genital mutilation,[14]

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[6] E/CN.4/Sub.2/1991/48.

[7] E/CN.4/Sub.2/1994/10.

[8] E/CN.4/Sub.2/1994/10/Add.1 and Corr.1.

[9] A/CONF.157/24 (Part I), chap. III.

[10] See *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[11] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex I.

[12] Ibid., annex II.

[13] Resolution 34/180, annex.

[14] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 38* (A/45/38), para. 438.

(*j*) Article 24 of the Convention on the Rights of the Child,[15] which provides that States parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children,

(*k*) The Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Cairo from 29 April to 8 May 1995,[16] in particular its resolution 8 of 7 May 1995 on the elimination of violence against women,

(*l*) The extensive work of the Inter-African Committee on Traditional Practices Affecting the Health of Women and Children,

Reaffirming that certain traditional or customary practices affecting the health of women and girls constitute a definite form of violence against women and girls and a serious violation of their human rights, and expressing concern at the continuing large-scale existence of such practices,

1. *Welcomes*:

(*a*) The progress achieved by a number of Governments in their struggle against harmful traditional or customary practices, in particular against female genital mutilation, and encourages the Governments in question to continue and to increase their efforts aimed at the eradication of these practices;

(*b*) The work carried out by the Special Rapporteur of the Subcommission on Prevention of Discrimination and Protection of Minorities on traditional practices affecting the health of women and children;

(*c*) The joint statement by the World Health Organization, the United Nations Children's Fund and the United Nations Population Fund on female genital mutilation, which expresses a common purpose in supporting the efforts of Governments and communities to promote and protect the health and development of women and children by promoting awareness of the problem and by educating the public, health workers and those who carry out the practice, on all its health consequences;

(*d*) The appointment of a special ambassador of the United Nations Population Fund for the elimination of female genital mutilation;

(*e*) The efforts undertaken by the United Nations Population Fund, the United Nations Children's Fund, the United Nations Development Fund for Women and other United Nations bodies, programmes and organizations to raise awareness of this issue;

(*f*) The work carried out by non-governmental and community organizations in raising awareness of the harmful effects of female genital mutilation and other traditional or customary practices affecting the health of women and girls;

(*g*) The fact that the Commission on the Status of Women will address the critical areas of concern, namely, "Violence against women", "The girl child" and "Human rights of women", at its session in 1998 and "Women and health" at its session in 1999, and invites the Commission to address the issue of harmful traditional or customary practices during those sessions;

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[15] Resolution 44/25, annex.

[16] See A/CONF.169/16, chap. I.

2. *Emphasizes*:

(*a*) The need for Governments to analyse, from a gender perspective, all policies and programmes, particularly those relating to poverty, health and violence against women, with a view to assessing their implications for women and men;

(*b*) The need for national legislation and/or measures prohibiting harmful traditional or customary practices as well as for their implementation, *inter alia*, through appropriate measures against those responsible;

(*c*) The need to improve women's position in society and to promote their economic independence;

(*d*) The importance of education and the dissemination of information in raising awareness, in all sectors of society, of the serious consequences of traditional or customary practices affecting the health of women and girls and the responsibilities of Governments in this regard;

(*e*) The necessity of involving, among others, public opinion leaders, educators, religious leaders, medical practitioners, women's health and family planning organizations and the media in publicity campaigns, with a view to promoting a collective and individual awareness of the human rights of women and girls and of how harmful traditional or customary practices violate those rights;

(*f*) That information and education with regard to harmful traditional or customary practices should also be targeted at men and that they should be encouraged to be responsive to such information and education;

(*g*) The importance of coordination between the Subcommission on Prevention of Discrimination and Protection of Minorities and the relevant treaty bodies, the Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences and the Commission on the Status of Women, including through the exchange of information, and encourages them, within their respective mandates, to continue to pay attention to traditional or customary practices affecting the health of women and girls;

(*h*) The need for financial and technical assistance for developing countries from United Nations funds and programmes, as well as from international and regional financial institutions and bilateral and multilateral donors, so as to assist Governments in combating such practices;

3. *Calls upon* all States:

(*a*) To implement their international commitments in this field, *inter alia*, under the Vienna Declaration and Programme of Action,[9] the Beijing Declaration[11] and the Platform for Action[12] of the Fourth World Conference on Women, the Programme of Action of the International Conference on Population and Development[10] and the Plan of Action for the Elimination of Harmful Traditional Practices Affecting the Health of Women and Children;[8]

(*b*) To ratify, if they have not yet done so, the relevant human rights treaties, in particular the Convention on the Elimination of All Forms of Discrimination against Women[13] and the Convention on the Rights of the Child,[15] and to respect and fully implement their obligations under the relevant human rights treaties to which they are parties, emphasizing the incompatibility between the continuation of these harmful traditional or customary practices and the obligations they have voluntarily undertaken through the ratification of such international human rights instruments;

(*c*) To include specific information on measures taken to eliminate traditional or customary practices harmful to the health of women and girls in their reports to the Committee on the Elimination of Discrimination against Women and to the Committee on the Rights of the Child;

(*d*) To intensify efforts to raise awareness of and to mobilize international and national public opinion concerning the harmful effects of female genital mutilation and other traditional or customary practices affecting the health of women and girls, in particular through education, the dissemination of information and training, with the aim of achieving the total elimination of these practices;

(*e*) To develop and implement national legislation and policies prohibiting traditional or customary practices harmful to the health of women and girls, particularly female genital mutilation;

(*f*) To support women's organizations, at the national and local levels, working for the elimination of female genital mutilation and other traditional or customary practices harmful to the health of women and girls;

(*g*) To cooperate closely with the Special Rapporteur of the Subcommission on Prevention of Discrimination and Protection of Minorities on traditional practices affecting the health of women and children and to submit information on such practices with a view to enabling her to assess the progress achieved and obstacles encountered in implementing the Plan of Action for the Elimination of Harmful Traditional Practices Affecting the Health of Women and Children;

(*h*) To cooperate closely with relevant United Nations funds, programmes and the specialized agencies, such as the World Health Organization, the United Nations Children's Fund, the United Nations Population Fund, the United Nations Educational, Scientific and Cultural Organization and the Office of the United Nations High Commissioner for Human Rights, as well as with relevant non-governmental and community organizations, in a joint effort to eradicate harmful traditional or customary practices affecting women and girls;

4. *Decides*:

(*a*) To invite the Commission on Human Rights to address this issue at its fifty-fourth session;

(*b*) To request the Secretary-General to make the outcome of the discussions in the Commission on the Status of Women on this issue available to the Commission on Human Rights at its fifty-fourth session, if necessary, in the form of an oral report;

(*c*) To also request the Secretary-General to report to the General Assembly at its fifty-third session on the implementation of the present resolution.

70th plenary meeting
12 December 1997